

**RECEIVED  
CENTRAL FAX CENTER**

MAR 30 2004



## FAX COVER SHEET

**OFFICIAL**

The information contained in this facsimile message, if a client of this firm is a named addressee, or the message is otherwise intended for a client, is presumptively legally privileged and confidential information. If you are not a named addressee, or if there is any reason to believe that you may have received this message in error, (1) do not read the message below; (2) do not distribute or copy this facsimile; and (3) please immediately call us collect at the number of the sender below.

DATE:	March 30, 2004	TOTAL # OF PAGES: (INCLUDING THIS COVER SHEET)	4
TO:	Commissioner for Patents	FAX #:	703-872-9306
ATTN:	Examiner: <i>To be assigned</i> Art Unit: 2872	PHONE #:	571-272-1585
FROM:	Victor E. Johnson	FAX #:	(415) 398-3249
PHONE #:	(415) 781-1989	EMAIL:	johnson.victor@dorseyllaw.com

## RE:

U.S. Patent Application No. 10/734,878 for  
*Optical Mount And Method For Use Thereof*  
Our Docket No. A-71626-1/DJB/VEJ (Our Matter No. 469390-00030)

## COMMENTS:

Kindly acknowledge receipt of the following documents by return facsimile:

1. This Fax Cover Sheet;
2. INFORMATION DISCLOSURE STATEMENT; and
3. Substitute Form 1449A/PTO (PTO/SB/8A) (one sheet).

ORIGINAL WILL BE SENT VIA: ☐ MAIL ☐ E-MAIL ☐ MESSENGER ☐ AIR COURIER ☒ WILL NOT BE SENT

PLEASE CONTACT VICTOR E. JOHNSON AT (415) 781-1989 IF THIS TRANSMISSION IS INCOMPLETE OR CANNOT BE READ.

DORSEY & WHITNEY LLP • WWW.DORSEY.COM • T 415.781.1989 • F 415.398.3249  
FOUR EMBARCADERO CENTER • SUITE 3400 • SAN FRANCISCO, CALIFORNIA 94111-4187  
USA CANADA EUROPE ASIA

PATENT

Attorney Docket No. A-71626-1/DJB/VEJ  
Attorney Matter No. 469390-00030  
Application No. 10/734,878

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
CENTRAL FAX CENTER

MAR 30 2004

In re application of:

Martin D. Andrews

Application No. 10/734,878

Filed: December 12, 2003

For: OPTICAL MOUNT AND METHOD  
FOR USE THEREOF

Art Unit: To be assigned

Examiner: 2872

Docket No.: A-71626-1/DJB/VEJ

Certificate of Transmission (37 C.F.R. § 1.8(a))  
I hereby certify that this correspondence is being facsimile transmitted  
to the U.S. Patent and Trademark Office, Facsimile number (703) 872-  
9306 on 3-30-04

Patricia A. Diehl

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is hereby submitted in accordance with 37 CFR 1.98 and pursuant to Applicant's continuing duty under 37 CFR 1.56 to bring any information which may be material to patentability of this application to the Examiner's attention. The Examiner's attention is directed to the reference(s) cited on the accompanying substitute for form PTO-1449A/PTO. Copies of the cited references are enclosed, unless otherwise noted below. It is further understood that the Examiner will also consider information that was cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. Notice of April 20, 1992, 1138 OG 37-41, at 37; M.P.E.P. § 609 (I)(A)(2).

Applicant makes no representation that a search has been conducted by the Applicant, or that there is not possibly more relevant art. Applicant also makes no representation that the information submitted herewith is in fact material to patentability. The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 11 O.G. 13-25, at 25.

INFORMATION DISCLOSURE STATEMENT

- 1 -

(1135869)

PATENT

Attorney Docket No. A-71626-1/DJB/VEJ  
Attorney Matter No. 469390-00030  
Application No. 10/734,878

This Information Disclosure Statement is being filed within three months of the filing date of a national application other than a continued prosecution application, within three months of the date of entry of a national stage, before the mailing date of a first Office action on the merits, or before the mailing date of a first Office action after the filing date of request for continued examination. 37 C.F.R. § 1.97(b). No fee is required.

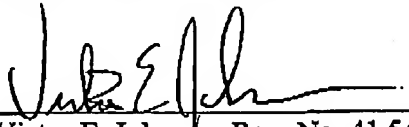
This Application relies on the earlier filing date of prior Application No. 10/293,790, filed November 12, 2002, under 35 U.S.C. § 120. It is understood that the Examiner will consider information that was submitted to or cited by the Office in such prior applications. Notice of April 20, 1992, 1138 OG 37-41, at 37; M.P.E.P. § 609 (I)(A)(2). Copies of documents previously submitted to or cited by the Office in the prior application are not required to be provided in this application and thus are not attached. 37 C.F.R. § 1.98(d).

- ☒ A copy of each reference cited on the accompanying substitute for form PTO-1449A/PTO was submitted to or cited by the Office in the above-mentioned application, thus a copy of such references is not required nor is attached.

The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication, including any necessary fees for extension of time, or credit any overpayment to Deposit Account No. 50-2319 (Matter No. 469390-00030; Docket No. A-71626-1/DJB/VEJ).

Respectfully submitted,

Date: 3/30/2004

By:   
Victor E. Johnson, Reg. No. 41,546  
/for/ David J. Brezner, Reg. No. 24,774  
Filed Under 37 C.F.R. § 1.34(a)

DORSEY & WHITNEY LLP  
Four Embarcadero Center, Suite 3400  
San Francisco, CA 94111-4187  
Telephone: (415) 781-1989 Facsimile: (415) 398-3249

INFORMATION DISCLOSURE STATEMENT

- 2 -

(1135869)

Substitute PTO/SB/8A (08-00)

Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)			<b>Complete if Known</b>	
			Application Number	10734,878
			Filing Date	December 12, 2003
			First Named Inventor	Martin D. Andrews
			Group Art Unit	To be assigned
			Examiner Name	2872
Sheet 1 of 1			Attorney Docket Number	A-71626-1/DJB/VEJ

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cita No.	U.S. Patent Document Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1	2,266,169	12-16-1941	Crumrine	
	A2	4,147,405	04-03-1979	Spainhour	
	A3	4,183,672	01-15-1980	Camerik	
	A4	4,966,474	10-30-1990	Geiger	
	A5	5,140,470	08-18-1992	Luecke	
	A6	5,183,350	02-02-1993	Kramer	
	A7	5,530,547	06-25-1996	Arnold	
	A8	5,757,561	05-26-1998	Sechrist et al.	
	A9	6,016,230	01-18-2000	Nunnally et al.	
	A10	6,061,190	05-09-2000	Kane et al.	
	A11	6,163,417	12-19-2000	Nunnally	
	A12	6,198,580	03-06-2001	Dallakian	
	A13	6,304,393	10-16-2001	Sechrist et al.	
	A14	6,438,461	08-20-2002	Desailly et al.	
	A15	6,590,723 B1	07-08-2003	Hodge	
	A16	US-2003/0152332 A1	08-14-2003	Kao	
	A17				
	A18				
	A19				
	A20				
	A21				

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cita No.	Foreign Patent Document Country Code <sup>2</sup> Number <sup>2</sup> Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>3</sup>
	A22					
	A23					
	A24					
	A25					
	A26					
	A27					

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English Language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

(1135868)